



November 17, 2009

VIA ECF

The Honorable Donovan W. Frank
United States District Judge
316 North Robert Street
St. Paul, MN 55101

Re: *Lyon Financial Services, Inc. v. Shyam L. Dahiya, et al.*,
Court File No. 08-CV-5523 (DWF/JJK)

Dear Judge Frank:

We write in response to Third-Party Plaintiffs' letter to this Court dated November 3, 2009 (Docket No. 32). Pursuant to its Motion to Dismiss (Docket No. 12), Syneron's position remains that it is entitled to dismissal of the Third-Party Complaint. However, should this Court be inclined to transfer this dispute, Syneron agrees that transfer to the United States District Court for the Northern District of Illinois would be appropriate pursuant to the contract between Third-Party Plaintiffs and Syneron.

Respectfully yours,

s/Sarah C.S. McLaren

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cc: Karl A. Oliver, Counsel for Third-Party Plaintiffs (via ECF)
John D. Docken, Counsel for Plaintiff Lyon Financial Services, Inc. (via ECF)
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